

RECEIVED
CENTRAL FAX CENTER

APR 21 2008

ADE & COMPANY INC.
PATENT AGENTSADRIAN D. BATTISON, B.Sc.
F.C.I.P.A. (London)
MICHAEL R. WILLIAMS, B.Sc. Ph.D
RYAN DUPUIS, B.Sc. (ME)
KYLE SATTERTHWAITE, B.Sc. M.E2157 Henderson Highway
Winnipeg, Manitoba
Canada R2G 1P9

Our File:85408-202 MRW

FACSIMILE COVER LETTER

PLEASE DELIVER THE FOLLOWING PAGES TO:**NAME:** Commissioner of Patents – Customer Service Window, Mail Stop PCT**FROM:** Ade & Company Inc. – Michael R. Williams**TOTAL NUMBER OF PAGES INCLUDING THIS COVER LETTER:** 12**DATE:** APRIL 21, 2008**TELEPHONE:** (204) 944-0034 **FACSIMILE:** (204) 942-5723**RE:** United States National Phase Patent Application No: 10/598,667
 Inventor: John Walmsley
 Title: Sample Collection Device

This application was filed on-line on Sept 7, 2006 and after a few inquiries, still does not appear to be entered into the official record as it is not accessible on the PAIR site. Please forward this documentation to the appropriate person who can contact me with respect to the above referenced application.

Respectfully,
/Michael R. Williams/
(204) 944-0034

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL.

From: put
05-06-08

RECEIVED
CENTRAL FAX CENTER

APR 21 2008

ADE & COMPANY INC.

PATENT AGENTS

ADRIAN D. BATTISON, B.Sc., F.P.T.I.C.
MICHAEL R. WILLIAMS, B.Sc., Ph.D.
RYAN W. DUPUIS, B.Sc. M.E.
KYLE SATTERTHWAITE, B.Sc. M.E.

2157 HENDERSON HWY.
WINNIPEG MANITOBA
CANADA R2G 1P9

Telephone (204) 947-1429
Facsimile (204) 942-5723
E-Mail: info@adeco.com
Web page: www.adeco.com

Our File: 85408-202 MRW
Your File:

April 18, 2008

CONFIRMATION NO 8672
CUSTOMER NO. 23529
APPLICANT John Walmsley
SERIAL NO: 10/598,667
FILED September 7, 2006
FOR Sample Collection Device

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
U.S.A.

Dear Sir:

We note that we have not received reply to our letter which was sent dated January 15, 2008 regarding the entry of the above referenced application into the USPTO database.

As discussed above, and as you can see from the copies of the documents which were submitted previously and are enclosed herewith for your reference, the application was assigned serial no. 10/598,667 at the time of filing but it appears it has not been entered into the official record. *667 T.W.*

We note that we have discussed this situation with the USPTO on at least 2 occasions and have been led to believe that the situation is being taken care of but have still not been able to access the application data through the PAIR system.

In the event that additional documents or evidence or statements are required in order to have the application file completed and properly entered into the USPTO database, we respectfully

ADE & COMPANY INC.

request that you contact the undersigned at your earliest convenience so that we can take steps to ensure that this application is put back on track.

Respectfully Submitted,

ADE & COMPANY INC.

PER:



DR. MICHAEL R. WILLIAMS

Registration 45,333

Direct Line (204) 944-0034

e-mail williams@adeco.com

MRW/lb

USPTO

1/15/2008 3:10:12 PM

PAGE

1/001

Fax Server

TO: Auto-reply fax to 204 942 5723 COMPANY:

RECEIVED
CENTRAL FAX CENTER

APR 21 2008

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 204 942 5723

Fax Information

Date Received:

1/15/2008 3:07:50 PM [Eastern Standard Time]

Total Pages:

8 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

ADE & COMPANY INC.
PATENT AND TRADEMARK AGENTS

Adrian D. Bamson, B.Sc.
(F.C.I.P.A. (London))

Michael R. Williams
Ryan W. Dupuis

2157 Henderson Highway
Winnipeg, Manitoba
Canada R2G 1P9

85408-202

FACSIMILE COVER LETTER

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Commissioner of Patents -

FROM: Ade & Company Inc.- Michael R. Williams

TOTAL NUMBER OF PAGES 8 INCLUDING THIS COVER LETTER.

DATE: January 15, 2008

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL.

RE: United States Patent Application no: 10/598,557
John Walmsley
Sample Collection Device
EXAMINER - GROUP

Letter enclosing a copy of the online filing receipt and signed declaration.

IF ALL PAGES ARE NOT RECEIVED OR ANY ARE NOT LEGIBLE. PLEASE
CALL AS SOON AS POSSIBLE.

TELEPHONE (204)-947-1429

FACSIMILE (204)-942-5723

OPERATOR: Doris Jones

PAGE 12 * RCVD AT 01/15/08 3:07:50 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-5/34 * DNIS:2738300 * CSID:204 942 5723 * DURATION (mm-ss):02-44

RECEIVED
CENTRAL FAX CENTER

APR 21 2008

**ADE & COMPANY INC.
PATENT AND TRADEMARK AGENTS**Adrian D. Battison, B.Sc.
(F.C.I.P.A. (London))Michael R. Williams.
Ryan W. Dupuis2157 Henderson Highway
Winnipeg, Manitoba
Canada R2G 1P9

85408-202

FACSIMILE COVER LETTER**PLEASE DELIVER THE FOLLOWING PAGES TO:****NAME: Commissioner of Patents -****FROM: Ade & Company Inc. - Michael R. Williams****TOTAL NUMBER OF PAGES 8 INCLUDING THIS COVER LETTER.****DATE: January 15, 2008**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL.

RE: United States Patent Application no: 10/598,667
John Walmsley
Sample Collection Device
EXAMINER - GROUP

Letter enclosing a copy of the online filing receipt and signed declaration.

**IF ALL PAGES ARE NOT RECEIVED OR ANY ARE NOT LEGIBLE. PLEASE
CALL AS SOON AS POSSIBLE.**

TELEPHONE (204)-947-1429**FACSIMILE (204)-942-5723****OPERATOR: Doris Jones**

ADE & COMPANY INC.

PATENT AGENTS

RECEIVED
CENTRAL FAX CENTER

APR 21 2008

ADRIAN D. BATTISON, B.Sc., F.P.T.I.C.
MICHAEL R. WILLIAMS, B.Sc., Ph.D.
RYAN W. DUPUIS, B.Sc. M.E.
KYLE SATTERTHWAITE, B.Sc. M.E.

2157 HENDERSON HWY.
WINNIPEG MANITOBA
CANADA R2G 1P9

Telephone (204) 947-1429
Facsimile (204) 942-5723
E-Mail: info@adeco.com
Web page: www.adeco.com

OUR FILE: 85149-202
YOUR FILE:

January 15, 2008

CONFIRMATION NO. 8672
CUSTOMER NO. 23529
APPLICANT John Walmsley
SERIAL NO: 10/598,667
FILED September 7, 2006
FOR Sample Collection Device

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
U.S.A.

Dear Sirs:

We enclose the following documents:

1. a copy of our on line filing form indicating the serial number, filing date and fees paid
2. a copy of the signed declaration by the inventor.

Specifically, we note that as you can see from the electronic filing document that the USPTO received our submission at 16:17:31 Eastern time on September 7, 2006 and charged to our deposit account 010310.

Furthermore, the application was assigned the EFS ID 1190300 and assigned the application 10/568,667.

Specifically, this application was a national phase application of PCT CA2005/00358.

We note that we have made several inquiries regarding the filing certificate for the above referenced application and have also attempted to access it through the secure PAIR site.

ADE & COMPANY INC.

On at least one occasion, we were told by a clerk at the USPTO that the problem was "on the USPTO's end" and that they would take care of it but if they required anything further they would contact us in the next few days.

Consequently, we were surprised when we contacted Mr. Mike Zouely on January 2, 2008 and he stated that the above application did not appear to be in the system.

As you can see from the enclosed documentation, the application was submitted electronically and was accepted by the USPTO. We therefore ask that it be confirmed that the application has been entered into the USPTO system and accordingly we ask a copy of the filing certificate be forwarded to us as quickly as possible so that we may forward same to the inventor.

Respectfully submitted

John Walmsley

PER: 
Michael R. Williams
Registration 45333

January 15, 2008
Michael R. Williams

Winnipeg, Manitoba, Canada
Telephone (204) 947-0034 - FAX (204) 942-5723

Patent Electronic Filing

Page 1 of 2

Acknowledgement Receipt

The USPTO has received your submission at **16:17:31** Eastern Time on **07-SEP-2006** by Deposit Account: 010310.

\$ **450** fee paid by e-Filer via *RAM* with Confirmation Number: 233.

eFiled Application Information

EFS ID	1190300
Application Number	10598667
Confirmation Number	8672
Title	SAMPLE COLLECTION DEVICE
First Named Inventor	John Walmsley
Customer Number or Correspondence Address	23529
Filed By	Adrian David Battison
Attorney Docket Number	85408-202
Filing Date	
Receipt Date	07-SEP-2006
Application Type	U.S. National Stage under 35 USC 371
International Application Number	PCT/CA05/00358

Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
US_ADS_Form_SB_14.pdf	4	Application Data Sheet	2620000 bytes	◆ PASS
declaration.pdf	3	Documents submitted with 371 Applications	59847 bytes	◆ PASS
fee-info.pdf	2	Fee Worksheet (PTO-875)	8367 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

If you need help:

Patent Electronic Filing

Page 2 of 2

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

Express Mail Label No.

APR 21 2008

Page 1 of 3

Docket No.
85408-202

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SAMPLE COLLECTION DEVICE

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on March 9, 2005 as United States Application No. or PCT International

Application Number PCT/CA2005/000358

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☒

(Number)

(Country)

(Day/Month/Year Filed)

☒

(Number)

(Country)

(Day/Month/Year Filed)

☒

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/551,342</u>	<u>03/10/2004</u>
(Application Serial No.)	(Filing Date)
<u>60/621,048</u>	<u>10/25/2004</u>
(Application Serial No.)	(Filing Date)
<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>PCT/CA2005000358</u>	<u>March 9, 2005</u>	<u>pending</u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

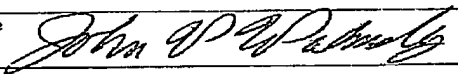
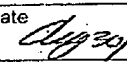
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Michael R. Williams	45,333
Ryan W. Dupuis	47,345
Adrian D. Battison	31,726

Send Correspondence to: ADE & COMPANY INC.
PO Box 28006 1795 Henderson Hwy
Winnipeg Manitoba
Canada R2G 4E9

Direct Telephone Calls to: (name and telephone number)
Michael R. Williams 204-944-0034

Full name of sole or first inventor	John Walsmley	
Sole or first inventor's signature		Date 
Residence	Manitoba Canada	
Citizenship	Canadian	
Post Office Address	604-2080 Pembina Highway Winnipeg Manitoba Canada R3T 2G9	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	